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PATENT TRADEMARK OFFICE

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

**RECEIVED**  
**FEB 26 2009**  
**OFFICE OF PETITIONS**

Applicant: Jerry W. Schoen et al. : Paper No:  
Serial No. 09/847,236 : Group Art Unit: 1742  
Filed: May 2, 2001 : Primary Examiner: John P. Sheehan  
For: HIGH PERMEABILITY GRAIN ORIENTED ELECTRICAL STEEL

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT**  
**ABANDONED UNINTENTIONALLY UNDER 37 CFR §1.137(b)**

Attn: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications; and
- (4) Statement that the entire delay was unintentional.

**(1) Petition fee:**

- ☐ Small entity fee \$ \_\_\_\_\_ (37 CFR §1.17(m)). Applicant claims small entity status. See 37 CFR §1.27.
- ☒ Other than small entity – fee \$ 1,300.00 (37 CFR §1.17(m)). The

Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment, to Deposit Account No. 06-2226

**(2) Reply and/or fee:**

- A. The reply and/or fee to the above-noted Office Action in the form of Amendment (identify type of reply):
- ☐ has been filed previously on \_\_\_\_\_.

☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_.

☐ has been paid previously on \_\_\_\_\_.

☐ is enclosed herewith.

(3) Terminal disclaimer with disclaimer fee:

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR §1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).


(4) STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR §1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR §1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).

Respectfully submitted,

Jerry W. Schoen et al.

Dated: March 30, 2004

By

  
Kevin S. Sprecher  
Registration No. 42,165  
Attorney for Applicant(s)

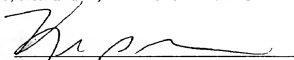
FROST BROWN TODD LLC  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 651-6121

Enclosures: ☐ Fee Payment  
☒ Reply (Amendment)  
☐ Terminal Disclaimer Form  
☐ Additional Sheets containing statements establishing unintentional delay  
☐ Other: \_\_\_\_\_



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 30 day of March 2004.

  
Kevin S. Sprecher



02-20-09

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☒ Other than small entity – fee \$ 1,620.00 (37 CFR §1.17(m)). The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment, to Deposit Account No. 06-2226

**(2) Reply and/or fee:**

A. The reply and/or fee to the above-noted Office Action in the form of  
Amendment (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee of \$\_\_\_\_\_.

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☐ is enclosed herewith.

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- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.  
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Respectfully submitted,

Jerry W. Schoen et al.

Dated: February 19, 2009

By \_\_\_\_\_

  
Kevin S. Sprecher  
Registration No. 42,165  
Attorney for Applicant(s)

FROST BROWN TODD LLC  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 651-6121

- Enclosures: ☐ Fee Payment  
☒ Reply (Amendment)  
☐ Terminal Disclaimer Form  
☐ Additional Sheets containing statements establishing unintentional delay  
☒ Other: Copy of Petition for Revival Unintentional Abandonment dated 03/30/2004 (no response received); Status Inquiry dated 10/21/2005 (no response received) and Affidavit of Larry A. Fillnow.



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 19<sup>th</sup> day of February, 2009.

A handwritten signature in black ink, appearing to be "KS", written over a horizontal line.

Kevin S. Sprecher